

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LOCAL 302 and 612 of the INTERNATIONAL
UNION OF OPERATING ENGINEERS
CONSTRUCTION INDUSTRY HEALTH AND
SECURITY FUND, et al.,

Plaintiff,

v.

GASTON BROS. EXCAVATING, INC., a
Washington Corporation,

Defendant.

Case No. C05-1679MAT

ORDER OF DISMISSAL

Counsel having notified the court of the settlement of this case, and it appearing that no issue remains for the court's determination,

IT IS ORDERED that this action and all claims asserted herein are DISMISSED with prejudice and without costs to any party.

In the event that the settlement is not perfected, any party may move to reopen the case, provided that such motion is filed within 60 days of the date of this order. Any trial date and pretrial dates previously set are hereby VACATED.

IT IS SO ORDERED this 24th day of August, 2006.



Mary Alice Theiler
U.S. Magistrate Judge

ORDER OF DISMISSAL